

United States Government

Department of Energy

memorandum

DATE: **AUG 17 2001**

REPLY TO:

ATTN OF: Office of Environmental Policy and Assistance: Thompson:69581

SUBJECT: REQUEST FOR COMMENT: Draft Report on Costs Associated with the Total Maximum Daily Load (TMDL) Program

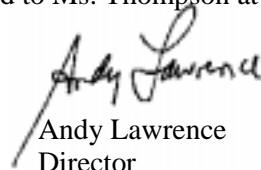
TO: Distribution

The Environmental Protection Agency (EPA) issued a *"Notice of Availability of a Draft Report on Costs Associated With the Total Maximum Daily Load Program"* in the Federal Register on August 9, 2001. EPA is requesting comments on a draft report, *"The National Costs of the Total Maximum Daily Load Program,"* and two supporting technical documents. A total maximum daily load (TMDL) specifies the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards. It also allocates pollutant loading among point and nonpoint sources and other sources of pollution.

EPA previously estimated the costs of changes to the TMDL program in a July 2000 rule *"Revisions to the Water Quality Planning and Management Regulation and Revisions to the National Pollutant Discharge Elimination System Program in Support of Revisions to the Water Quality Planning and Management Regulations, Final Rules."* There was concern that EPA's estimates of the cost of the July 2000 rule are unrealistic, and significantly underestimated the full cost of the TMDL program. In response to these concerns, Congress directed EPA to conduct a more comprehensive assessment of the costs of developing and implementing TMDLs for the listed waters and report those findings to the appropriations committees. This draft report includes assessment of the cost of monitoring impaired waters, developing TMDLs for the listed waters and implementing the TMDLs. These costs are based on both the existing program as well as the requirements in the July 2000 rule. The draft report and support documents are available at EPA's website: <http://www.epa.gov/OWOW/tmdl/costs>.

In February 2001, at EPA's request, DOE provided comments on the costs related to TMDLs. A significant issue for the Department is the potentially high compliance cost if TMDLs are established at levels which may require new treatment technologies. EPA used this information along with information from others in the regulated community to develop this draft cost estimate and is now seeking further input.

Please submit any comments you may have to Lois Thompson of my staff (e-mail lois.thompson@eh.doe.gov, fax: 202-586-3915) by November 9, 2001. Questions regarding this information should be directed to Ms. Thompson at (202) 586-9581.



Andy Lawrence
Director
Office of Environmental Policy and Guidance